

Resolution No. ZSR-22-11 of the Suffolk County Planning Commission
Pursuant to Sections A14-14 to thru A14-25 of the Suffolk County Administrative Code

- WHEREAS, pursuant to Sections A14-14 thru A14-25 of the Suffolk County Administrative Code, a referral was received on March 30, 2022 at the offices of the Suffolk County Planning Commission with respect to the application of “**2020 Industrial Park at Yaphank**” located in the Town of Brookhaven
- WHEREAS, said referral was considered by the Suffolk County Planning Commission at its meeting on **May 4, 2022**, now therefore, be it
- RESOLVED, pursuant to Section A14-16 of the Suffolk County Administrative Code and Section 239-m 6 of the General Municipal Law, the referring municipality within thirty (30) days after final action, shall file a report with the Suffolk County Planning Commission, and if said action is contrary to this recommendation, set forth the reasons for such contrary action,
Be it further
- RESOLVED, that the Suffolk County Planning Commission **Approves** the Site Plan/Special Permit referral from the Town of Brookhaven Planning Board for the “2020 Industrial Park at Yaphank” application for “the development of two (2) one-story (approximately 199,000 square foot) warehouse buildings and one (1) one-story (approximately 163,000 square foot)” with the following comments:
1. The proposed 2020 Industrial Park at Yaphank warehousing facility is located within a New York State Potential Environmental Justice Area (PEJA) (see Suffolk County Planning Commission staff report). For each project referred to the Suffolk County Planning Commission (pursuant to NYS GML 239 and Article XIV of the Suffolk County Administrative Code) within a Potential Environmental Justice Area the local municipality should coordinate, prepare and implement an enhanced Public Participation Plan. Traditional forms of outreach, as well as, modern forms of social networking should be utilized. Other forms of outreach especially to local civic associations and neighborhood religious organizations should not be overlooked. All documentation and explanations regarding the project and process should be clarified in plain language and communicated orally or by infographics if necessary.
 - a. As part of the land use process within a New York State designated Potential Environmental Justice Area all optional public hearings for the land use process on the proposed action should be conducted. Translation services where applicable should be provided.
 - b. The notice of public hearing to be published should be noticed well in advance of public hearings; at least 60 days before the hearing.
 - c. Public Notice should be in multiple languages.
 - d. Notice should be posted in at least one local non-English speaking newspaper. The Summary of Environmental Justice impacts must be included in the notice.
 - e. The local municipality should reserve judgment on projects within a PEJA for no less than 45 days after the close of a public hearing on a project within a PEJA.
 2. Mobile sources of air emissions, particularly arising from fuel combustion originating from passenger automobile and Truck Traffic tail pipe exhaust was not detailed in referral materials to the Suffolk County Planning Commission.

A more detailed examination of dispersion of emissions and its effect on the PEJA surrounding the project site would be in order. The following are related to environmental justice and are provided as best management guidance with respect to motor vehicle trips reduction, standing idle time and parking design to reduce co-pollutants from motor vehicle activity.

- a. The potential pollution burden of the proposed development in relationship to the existing burdens within a one mile radius of the proposal should be cumulatively assessed within the environmental quality review process.
 - b. All new development with parking lots should designate minimum of (8-10%) for parking spaces for clean energy vehicles, but should not increase the number of parking spaces beyond the minimum required in order to provide such designations.
 - c. All new development with parking lots should have plans for (2%) of off street parking stalls to become future electric vehicle charging stations.
 - d. All parking lots should meet the requirements above and allow designated car share parking stalls.
 - e. All parking lots should meet the requirements above and provide for car service and on-line merchandise/food delivery services to have designated space for passenger pick-up/drop-off and delivery loading/unloading zones.
 - f. Parking Stall Demand Reduction (PSDR) techniques, to lessen parked and idling cars, decrease trip generation and avoid unnecessary disturbance to CO2 absorbing vegetation should be employed.
3. No more than 60% of the naturally occurring vegetation on-site should be cleared for development. Vegetation and wildlife inventories should be by actual on site investigations via "line-transect" methodology (or other peer accepted direct observation scientific methods) supplemented by relevant literature and reported by a qualified biologist. Moreover, contiguous open space should be shifted to the north to form a greater buffer with the residential zoning adjacent to the project site
4. It is noted that the subject proposed 2020 Industrial Park at Yaphank development parcel is situated within the 0- 10 year and 10 to 25 year groundwater travel time to the Carmans River system and is located within a Surface Water Priority Area Ranking Group 1 as shown in the draft Suffolk County Sub-watersheds Plan. Wastewater is intended to be directed to Suffolk County Sewer District #7. The applicant should be directed to begin/continue dialogue with the Suffolk County Department of Health Services and Suffolk County Department of Public Works for review and approval of the wastewater treatment methodology.
5. For land use development projects within or adjacent to a New York State Potential Environmental Justice area, all site grading/cut and fill should be balanced. No soil material should be transported off site. No mining should be permitted for any reason.
6. Additional considerations for overland storm water runoff on site are warranted. The applicant should be encouraged to review the Suffolk County Planning Commission publication Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

7. It is noted that 242 standard vehicle spaces are proposed to be land-banked. Parking stall demand reduction techniques should be considered to decrease the required off street parking and increase the amount of undisturbed vegetation. See the below link to the Suffolk County Planning Commission publication on Parking Stall Demand Reduction as a methodology to create a nexus for parking forgiveness and developer provided public benefits.

<https://www.suffolkcountyny.gov/portals/0/formsdocs/planning/SCPlanningCommission/2019/PSDR%20Final%20Draft%20103019.pdf>

Land-banked parking area and areas created via the use of Parking Stall Demand reduction techniques can remain vegetated and utilized for natural drainage. The applicant should be encouraged to review the Suffolk County Planning Commission publication Managing Stormwater-Natural Vegetation and Green Methodologies and incorporate into the proposal, where practical, design elements contained therein.

8. No trip generation or traffic study information was provided in referral materials to the Suffolk County Planning Commission. The applicant should be encouraged to begin/continue dialogue with the Suffolk County Department of Public Works regarding impacts to the intersection of Woodside Avenue (CR 99) and Yaphank Avenue (CR 21) with Horseblock Road (CR 16) resulting from employee motor vehicle and truck traffic coinciding with warehouse operations.
9. The applicant should review the Planning Commission guidelines particularly related to public safety lighting and signage to prevent trespassing and illegal dumping may be warranted.
10. The applicant should review the Planning Commission guidelines particularly related to Energy Efficiency and incorporate into the proposal, where practical, design elements contained therein. Accommodation for rooftop solar should be made for now or for in the future.
11. The applicant should review the Planning Commission guidelines particularly related to Universal Design and incorporate into the proposal, where practical, design elements contained therein.

2020 Industrial Park at Yaphank
Town of Brookhaven

COMMISSION ACTIONS OF APPROVED RESOLUTION

AYE NAY RECUSED ABSENT

Vacant – At Large				
CASEY, JENNIFER - Town of Huntington	X			
CHU, SAMUEL – Town of Babylon	X			
CONDZELLA, JOHN – Town of Riverhead	X			
COVERDALE, JOHN – Town of Brookhaven	X			
DOTY, DAVID – Town of East Hampton		X		
FINN, JOHN - Town of Smithtown	X			
FLYNN, DANIEL – Town of Southampton	X			
GALLE, ELIZABETH - Town of Shelter Island	X			
GERSHOWITZ, KEVIN G.- At Large				X
KAUFMAN, MICHAEL - Villages under 5,000		X		
KITT, ERROL – At Large				X
MCCARTHY, TIMOTHY – Town of Islip	X			
MCCARHTY, THOMAS - Town of Southold	X			
PERRY, LISA – Villages Over 5,000	X			

Motion: Commissioner Coverdale

Present: 12

Seconded: Commissioner Galle

Absent: 2

Voted: 12

Absent: 2

Recused: 0

DECISION: Approved